

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #
DATE FILED: 11/17/03

RODNEY BROWN,

Plaintiff,

-against-

DEPARTMENT OF CORRECTIONAL
SERVICES, et al.,

Defendants.

07 Civ. 5753 (GEL) (AJP)

ORDER OF DISMISSAL ON CONSENT

ANDREW J. PECK, United States Magistrate Judge:

The parties having agreed (see attached letters), IT IS HEREBY ORDERED THAT this action is dismissed without prejudice and without costs. All pending motions are to be terminated as moot.

SO ORDERED.

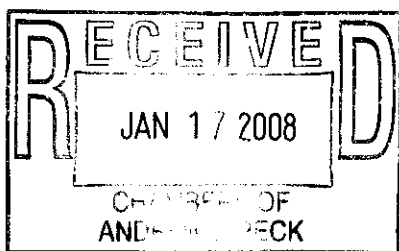
DATED: New York, New York
January 17, 2008

Andrew J. Peck
United States Magistrate Judge

Copies by fax & ECF to: Nicole Bellina, Esq.
Abigail Goldenberg, Esq.
Judge Gerard E. Lynch

**STOLL, GLICKMAN
& BELLINA** ATTORNEYS
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January 17, 2008

Honorable Magistrate Andrew J. Peck
U.S. District Court, SDNY
500 Pearl St. Rm. 1370
New York, NY 10007
BY FAX

Re: Rodney Brown v. City of New York et al. 07CV5753(GEL)(AJP)

Your Honor-

Pursuant to the Court's January 15, 2008 order in the above referenced action, plaintiff consents to a dismissal of the action without prejudice and without costs thereby allowing plaintiff to re-file in state court.

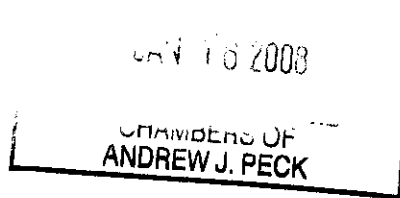
Thank you for your time in this matter.

Sincerely Yours,

A handwritten signature in cursive script, appearing to read "Nicolette Bellina".

Nicolette Bellina
718 852 4491

cc: ACC Alan Rosinus (BY FAX)



MICHAEL A. CARDOZO
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
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January 16, 2008

BY FACSIMILE

Hon. Andrew J. Peck
United States Magistrate Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 1370
New York, New York 10007

Re: Rodney Brown v. Dept. of Correctional Services et al.
07 Civ. 5753 (GEL) (AJP)

Dear Judge Peck:

Pursuant to the Court's January 15, 2008 order in the above referenced action, we write to indicate that defendants consent to a dismissal of the action without prejudice and without costs.

Thank you for your attention to this matter.

Respectfully,

Abigail Goldenberg (AG 4378)
Assistant Corporation Counsel

cc: By facsimile, Nicole Bellina, Attorney for plaintiff Rodney Brown